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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,480	06/29/2001	Anthony J. Leone III	D/A0A74	5302

7590

07/13/2005

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EXAMINER
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QIN, YIXING

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/893,480	LEONE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Yixing Qin	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

In response to applicant's amendment received 4/25/2005, all requested changes have been entered.

### *Response to Arguments*

In response to the remarks made, the Examiner notes that it is true that Watkins focuses on pictorial manipulation and combination, but Watkins points out in several places that "image and/or text" may be combined with a prestored image. One can see text data being printed on customized items in Fig. 4. The Examiner has also found new art to teach and/or suggest the inputting of text data into a template in Cyman (U.S. Patent No. 5,845,302). Please see the new rejection below.

I. Claims 1-9, 14-16, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cyman (U.S. Patent No. 5,845,302).

#### 1. Claim 1

Cyman discloses :

- in Fig. 1 a printer apparatus. The Examiner is interpreting the workstation, RIP and printer to be a **printer apparatus** since the main purpose of this setup is to create documents based on templates to be printed.
- In column 2, lines 20-24 that a customer can submit a data tape (i.e. **portable memory device**) containing, amongst other information, text data.
- in Fig. 2A-C various templates that can be printed. See in Fig. 1, item 112 that the template inputted and stored in the workstation (i.e. **resident**), which is part of the **printer apparatus**.

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- Column 2, lines 41-67 the organization of textual information into fields. Cyman mentioned in column 2, line 48 that there are selectable conditions, but not that one can select text fields. However, by inputting the textual information into fields, the print operator is basically selecting all the text data to be inputted into the template.
- in Fig. 2A-C various templates with added information that can be printed. Also note column 3, lines 13-18.
- Column 3, line 25 the concept of printing the document.
- As mentioned above, it would be obvious to call the setup used by Cyman a **printer apparatus**, since it serves the purpose of printing.
- The Examiner would like to note that many of the claims call for the prompting of an user to perform some function. As mentioned in the previous Office Action, prompting an user is a simple matter of creating pop-up message boxes, which are well known in the art. Although Cyman does not go into detail about prompting an user to perform various tasks, it would be easy for one of ordinary skill in the art to add this feature.

## 2. Claims 2 and 20

- One can see in Fig. 2A-C that there are different text formats to be inputted into the templates to be printed. Also see column 7, lines 33-36.

## 3. Claim 3 and 21

- Cyman discloses in column 7, lines 44-46 that additional text may be added.

## 4. Claim 4

- Cyman discloses in column 2, line 22 that images may be inputted from the data tape as well as text data. Also see column 6, line 16.

## 5. Claim 5

- See claim 4 above.

## 6. Claim 6

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- Cyman discloses in column 6, lines 19-20 the use of a disk drive to obtain digital information.

**7. Claim 7**

- Cyman discloses in column 6, lines 16-18 that the workstation receives input (i.e. **accesses data**) from various sources.

**8. Claim 8**

- From claims 6 and 7 above, a disk driver can be considered a reader.
- Again, referring to Fig. 1 of Cyman, the workstation can obtain templates 112. These would inherent have to be stored in some form of memory, most likely the hard disk of the workstation.
- Cayman discloses a print engine 118 in Fig. 1
- As mentioned above in claim 1, the entire setup in Fig. 1 is interpreted to be a **printer apparatus** .

**9. Claim 9**

- One can see in Figs 4A and 4B of Cyman a display of a program that allows an operator to manipulate what is to be included in the template.

**10. Claim 14**

- Cyman discloses in column 6, line 17 the use of an image scanner. It would be obvious to use this to provide images for the template.

**10. Claim 15**

- Cyman does not explicitly disclose the use of a camera to provide images. However, attaching digital cameras are well known in the art. Also note in the previous Office Action, Watkins et al (U.S. Patent No. 5,459,819 - column 6, lines 14-16, "[i]nput device 20 comprises a electronic camera such as the DCS 200 Digital Camera, produced by the Eastman Kodak Company." ).

**11. Claim 16**

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- The limitations of claim 16 has been analyzed in claims 1 and 7 above.

**12. Claim 19**

- One can see various templates in Figs. 2A-C that a different template is chosen for the various pictures. This has also been addressed in claim 1.

II. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cyman (U.S. Patent No. 5,845,302) in view of the applicant's disclosure of the prior art in the background.

**13. Claims 10-13**

- As mentioned in the previous Office Action, the methods of connection and the magnetic strip-encoded data are disclosed on pages 4 and 5 of the applicant's specification.

III. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cyman (U.S. Patent No. 5,845,302) in view of Lesnick (U. S. Patent No. 4,760,606).

**14. Claim 17 and 18**

- Claims 14 and 15 above disclosed how to obtain data from a scanner and a camera. However, Cyman (nor Watkins) discloses the converting of this information into text data. However, converting image data to text is well-known in the art of OCR (optical character recognition) – see Lesnick (U.S. Patent No. 4,760,606, column 2, lines 1-5).


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YQ

  
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